

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

KENNETH EUGENE SMITH,)
Plaintiff,)
v.) Case No. 2:23-cv-00656-RAH
JOHN Q. HAMM,)
Commissioner of the Alabama)
Department of Corrections,)
and)
TERRY RAYBON, Warden,)
Holman Correctional Facility,)
Defendants.)

DEFENDANTS' WITNESS LIST

Come now Defendants, by and through the Attorney General for the State of Alabama, and submit the following witness list.

1. Defendants will call the following witness by producing his direct witness statement¹ or by producing his live testimony:

Joseph F. Antognini, M.D., M.B.A.
222 North Sunset Avenue
West Covina, CA 91790

¹ The parties agreed to present the testimony of witnesses by producing direct witness statements and to have the witnesses present for cross-examination by the opposing party in order to present all the necessary evidence during the hearing on the preliminary injunction on December 20, 2023.

2. Defendants may call the following witnesses by producing their direct witness statements and by making them available for cross-examination during the preliminary injunction hearing:

James Houts
Office of the Attorney General
501 Washington Avenue
Montgomery, Alabama 36130
(334) 242-7300

Lauren Simpson
Office of the Attorney General
501 Washington Avenue
Montgomery, Alabama 36130
(334) 242-7300

Jasper Roberts
Office of the Attorney General
501 Washington Avenue
Montgomery, Alabama 36130
(334) 242-7300

Cameron Ball
Office of the Attorney General
501 Washington Avenue
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(334) 242-7300

Alana Cammack
Office of the Attorney General
501 Washington Avenue
Montgomery, Alabama 36130
(334) 242-7300

Thomas Govan
Office of the Attorney General
501 Washington Avenue
Montgomery, Alabama 36130
(334) 242-7300

Audrey Jordan
Office of the Attorney General
501 Washington Avenue
Montgomery, Alabama 36130
(334) 242-7300

Cynthia Stewart-Riley
Alabama Department of Corrections
301 South Ripley Street
Montgomery, Alabama 36130
(334) 353-3883

3. Defendants reserve the right to call Robert Jason Yong, M.D., Philip Nitschke, Ph.D., M.D., and Katherine Porterfield, Ph.D. These witnesses presented declarations in support of Smith's second amended complaint and motion for preliminary injunction.

4. Defendants also reserve the right to call Plaintiff Kenneth Eugene Smith to testify.

5. Defendants further reserve the right to call any additional witnesses

necessary to rebut or impeach evidence that Smith presents during the evidentiary hearing.

Respectfully submitted,

Steve Marshall
Attorney General

s/ Richard D. Anderson
Richard D. Anderson
Assistant Attorney General

CERTIFICATE OF SERVICE

I hereby certify that on December 15, 2023, I electronically filed the foregoing with the Clerk of the Court using CM/ECF system, which will send notification of such filing to the following: **Angелиque A. Ciliberti, Ashley Brook Burkett, Jeffrey Hutton Horowitz, Robert M. Grass, and Andrew Burns Johnson.**

s/ **Richard D. Anderson**
Richard D. Anderson
Assistant Attorney General

ADDRESS OF COUNSEL:

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Capital Litigation Division
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